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RETHINKING RESISTANCE IN DEVELOPMENT STUDIES

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More than Remittances: Resisting the Dominant Discourse and Policy Prescriptions of the Global 'Migration-Development-Mantra'

1. Introduction

The past decade has witnessed the appearance of international migration on the global policy agenda in the form of increased activities surrounding the governance of migration at the global level: many intergovernmental organisations (such as the United Nations Development Programme, UNDP) have contributed to the debate on international migration from their respective areas of expertise or interests, several international commissions (such as the Global Commission on International Migration, GCIM) and state-led initiatives have placed migration on the global policy agenda, and a number of fora for inter-state dialogue and cooperation have been established at the global and regional levels.

In most of these activities, international migration has been deliberated primarily in its relation to development, i.e. the linkage between, and mutual effects of, international migration and development[1]. At the core have been efforts to highlight the benefits of migration for all, that is for countries of origin, destination and the migrants themselves – the famous 'triple win' mantra (GCIM 2005; Wickramasekara 2011). By debating migration in its relation to development, the United Nations have opened up a space for an overdue dialogue on a topic that has notoriously been overshadowed by concerns for national security, xenophobia and rights of states over territorial sovereignty.

Parallel to these state-led efforts (states are the key constituents of international organisations), migrant rights activists have formed global networks to channel their resistance against the dominant migration policy

paradigm which has treated the rights of migrant workers and their families as a side, instead of a core, issue. The starting point for activists, however, is that better rights protection is paramount to migrants' ability to contribute to development. Moreover, they also take a critical stance toward the drive to institutionalise migration as a tool for development, whilst most of these efforts are based on a very narrow, i.e. remittance-focused, view of development.

In this paper, we focus on Asian migrant rights activists who are spearheading the emerging global migrant rights movement. They are among the key drivers for two major reasons: the regional network Migrant Forum in Asia (MFA) is one of the largest in the world; and state-sponsored labour migration has been a significant phenomenon in Asia for decades, albeit with historically little consideration for migrant rights. In this sense, international migration has become a structural component of regional economic integration (Athukorala/Manning 1999). The majority of migrants end up working in low-wage/low skill sectors, often under conditions that amount to 'forced labour' (HRW 2006; Amnesty International 2013). No longer willing to endure this state of affairs, resistance by migrants and on behalf of migrants via collective mobilisation has been on the rise across Asia. This is evident in qualitative and quantitative terms: Asian networks and 'networks of networks' have gained in strength and breadth over the last decade and become highly influential in driving the normative and strategic agenda of the migrant rights movement regionally and globally.

However, the Asian networks are split with regards to their ideological base and the resulting strategies they choose for resistance vis-à-vis the emerging global governance of migration: one group favours an 'inside-outside' approach that tries to change the process from within whilst also taking to the streets; another alliance follows a more radical course of fundamental resistance (Rother 2013a). These different tactics notwithstanding, both groups focus their resistance on the discursive level – by challenging the dominant policy prescriptions that link migration to development, the securitisation of migration and the exclusive coupling of civil rights with citizenship – and by promoting more inclusive concepts of human development and migrants' rights as human (and labour) rights.

Our starting point is the debate on global governance approached not from the realm of elite politics, but from the viewpoint of the 'marginal-

ised many' (Grugel/Piper 2007). In so doing, we follow Grugel and Uhlin (2012) in aiming to contribute to the more practical application in International Relations (IR) studies on global governance rather than the abstract deliberations among political theorists around global justice. Especially from the viewpoint of the Global South, as argued by Estevez (2010), global justice is not merely about liberal ideas that emphasise abstract morals as expressed in the general aspects of the universal human rights of a generic individual, but about the actual needs of people in the Global South. As far as global migration governance is concerned, it is the migrant rights movement that injects the voices from 'the people' (that is migrants, their families and communities) into the global debates on migration policy in the attempt to influence its direction.

It is against this backdrop that we argue for a theory of resistance rooted in transformative justice that occurs in the form of institutional change pushed from below (i.e. sub-state or transnational) which is the subject of the section below. We then offer a critique of the 'management' discourse for having led to an instrumentalisation of the migration-development-nexus in its focus on remittances. The final section outlines and analyses the strategies of the two main activist networks in Asia.

This paper is based on extensive fieldwork in the form of participant observation at all relevant global fora discussed here (the conference of the International Labour Organisation, the Global Forum on Migration and Development, the World Social Forum on Migration, and the United Nations High-Level Dialogue on Migration and Development) and in-depth interviews with key activists in Geneva, Manila, Hong Kong, Kuala Lumpur and Jakarta, conducted by one or both of the authors between 2004 and 2013[2].

2. Global governance and resistance

The idea of global governance in its various conceptualisations has emerged to capture the cooperation or coordination of different actors (governmental, non-governmental and international organisations) within a network made up of formal and informal rules in order to reform institutions of 'the global', with the goal of meeting the challenges of providing

citizens with global public goods (e.g. Rittberger 2001; Kennedy et al. 2002). As a concept which gradually took off after the end of the Cold War, global governance has been used not solely for the description and analysis of complex structures within a globalising world that is no longer subject to classification into 'first, second and third worlds'. At the same time, this concept is also part of of a wider attempt to change this 'new' world into something different or better in a normative sense[3] (Habermann 2011). Falk (1995) distinguishes between 'inhumane' and 'humane' governance, with the former characterised by unequal distribution of wealth and extensive violation of human rights; the latter, in contrast, emphasises people-centred criteria of success, as measured by indicators such as declines in poverty and adherence to human rights. 'Humane' governance has been re-conceptualised as rights-based governance based on an approach to rights beyond the sphere of international law, thus reflecting the increasing purchase of rights discourses and rights activism emanating from civil society (Grugel/ Piper 2007).

At the global level, it is the role of international organisations (IOs) which has attracted a lot of scholarly attention within the global governance literature, raising questions as to the degree of dependence on powerful states and the level of autonomy of IOs. This strand of the literature questions whether IOs are constrained by the sovereign power of states or whether they are autonomous organisations capable of setting up independent programmes, and even influencing public policy (Loescher 2001; Finnemore 1993; Charnock 2006; on migration, see Geiger 2010). Overall, much of the existing scholarship on IOs has focused on the relationship between IOs and states, with most analyses of global governance having tended to centre upon the operation of power and changes within the configuration of that power in the context of global institutions. Far less is known about 'bottom-up governance' and the relationships of conflict and resistance that emerge at the interface between vulnerable groups of people (here, migrant workers), global governance institutions, and states, especially from the perspective of civil society activists.

In the realm of human rights theorising, of which labour and migrant rights are a sub-group[4], it is the contradictory role of the state – as oppressor or violator of rights on the one hand and the primary agent of justice or deliverer of rights on other hand – that constitutes a paradox (Pogge 2001;

Kuper 2005a). This is the main reason why social movement scholars argue that the state remains the principal target for political action (Grugel 2004; Tarrow 2006)[5]. Yet, there is also increasing recognition of the role and responsibility of transnational actors in global politics (Jönsson/Tallberg 2010), as both violators of human rights and as those responsible for realising rights (Kuper 2005b). In this context, the debate on global governance has concentrated on the question whether cooperation within the international system, together with the integration of new private actors, makes it more democratic, legitimate and accountable (Zürn 2005; Erman/Uhlin 2010). This latter concern has triggered increased interest in the contribution of civil society organisations (CSOs) in democratising public sector institutions at whichever level (Scholte 2011).

In the human rights field, it has been shown that global norms are increasingly shaped through interaction between states, international institutions and activist networks, many of which (such as peasants, farmers, female informal sector workers etc.) today emanate from the Global South (Rajagopal 2012). The fact that global norms and legal enforcement are increasingly influenced by the everyday resistance of ordinary people, channelled through collective organisations, points to the relevance of social movements and, thus, to a theory of resistance derived from the mobilising of hitherto marginal or non-existent political constituencies (Stammers 2009). In this sense, as argued by Rajagopal (2012), it is inadequate to analyse human rights from the exclusive perspectives of states (as realists/positivists would do) or from the exclusive perspective of the individual (as liberals would do).

Hence, we put forward a conceptualisation of resistance that takes transformative mobilisation as its core feature, whereby 'transformative' is used here to refer to changing institutional practices pushed from below via activist networks. In this sense, our case falls into the category of 'overt' resistance (as per the typology developed by Hollander/Einwohner 2004), that is, a category of resistance which involves visible behaviour easily recognisable by targets and observers and, thus, includes collective acts such as mobilisation by, or into, social movements. However, as social movement literature has predominantly concerned itself with grassroots mobilisation, we argue for the need to bring in constructivist International Relations (IR) scholarship that highlights the socially constructed nature of international

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relations (in contrast to pure materialism) and thus, opens up an avenue for the role of ideas involved in international advocacy. Unlike classic social movement scholarship, IR has the benefit of addressing political contention in a cross-border context. This allows for an analysis and conceptualisation of transnational social movements. It is transnational advocacy networks that are the primary actor in the pursuit of social justice and human rights vis-a-vis global governance processes and institutions (Keck/Sikkink 1998).

Importantly, IR and development studies scholarship on global governance have also raised the issue of a/the?? democratic deficit inherent in supra-national policy-making processes. Our aim, however, is not simply to highlight the democratic deficit of international organisations in operational and processual terms – which is by now well established – but the actual *achieving* of transformative justice via institutional change. In an abstract sense, resistance concerns struggles for human freedom and liberation from structural oppression and exploitation (Gills/Gray 2012). In relation to migration governance, this relates to greater freedom of mobility that would render migration a choice not a necessity (GCIM 2005; UNDP 2009). In concrete terms, transformation of institutions has to come from the bottom-up – and in the context of global governing institutions, from 'global justice networks' (Routledge/Cumbers 2009). Given the fragmented nature of global migration governance, in order for resistance to have an effective impact it has to address this institutional complexity by engaging in equally complex 'networks of networks'.

The small body of literature on migration governance, and its late arrival on the 'governance scholarship' scene, mirrors the general trend in the governance literature in that the few existing studies on the governance of migration have explored its institutional architecture by taking the conventional 'top-down' approach with a focus on international and inter-governmental organisations (Newland 2005); by employing a regime perspective (Tanner 2006; Betts 2008); using the lens of governmentality (Kalm 2008; Geiger/Pécoud 2013); from the viewpoint of the national governance level (Gabriel/Pellerin 2007), or through the more established regional institutions such as the European Union (Geddes 2003). Many if not most of these works are characterised by a clear nation-state bias and by viewing migrants as mere objects of governance, thus denying them agency (Rother 2013b). This leaves a gap in knowledge with regard to bottom-up,

non-elitist dynamics aimed at changing the current direction of migration governance in order to benefit the majority of those directly affected: the migrants and their families.

3. Governing discourse: managing migration, managing poverty

Although the international migration of labour has an inherently transnational logic and has become a truly global phenomenon, recognition that, as a policy field, it requires not only bilateral but effective global regulation has come very late when compared to other issue areas – such as trade, health, and finance – that have been subject to global governance for some time (Kalm 2010; Jönsson/Tallberg 2010; Betts 2011). There is now evidence of greater global cooperation between states on a multilateral basis: the establishment of the Global Commission on International Migration in 2003, the International Labour Organisation's (ILO) annual congresses in 2004, 2010 and 2011 devoted to the promotion of labour standards relevant to migrant workers, and the UN High Level Dialogue on Migration and Development held by the United Nations (UN) in 2006 and 2013. Further evidence is the creation of the Global Forum on Migration and Development (GFDM), which has been held on an annual basis since 2007. These developments are undoubtedly part of a gradual shift toward the global governance of migration, defined as the proliferation of rules and regulations directing the cross-border mobility of workers.

International cooperation on migration has proliferated over the last 10 years largely based upon a specific type of regulation, referred to by Chi (2008: 500) as "the paradigm of 'managed temporary labor migration'". Promoted by various global institutions (UN, ILO, International Organisation for Migration, hereafter IOM), this 'managed migration' discourse places great emphasis on the design of formal policies by which origin and destination states try to assert control over migratory flows and employment – that is over income and profit generation as well as the securing of livelihoods through migration. It, thus, claims to constitute a 'triple win' situation, benefiting host and source countries as well as the migrants themselves (GCIM 2005). Considering that, for a long time, migration had predominantly been framed as a threat to security, national identity

or social welfare systems, the positive connotation of migrants having the potential to act as 'agents of development' can be seen as an indicator of a more balanced perspective on migration. However, this perspective is open to contestation as well, since this 'new development mantra' is usually being chanted on a very limited scale with 'financial remittances' and 'transfer of labour skills' being the high notes. This discourse largely ignores the more far-reaching concept of human development and the significant costs of migration for the majority of those who labour in the bottom rungs of the global economy, often separated from their families (Piper 2010).

Being in practice embedded in an increasingly restrictive policy environment, however, this paradigm seriously circumscribes the rights of migrants[6], which are otherwise well set out in existing international human and labour rights instruments (for a full list see ILO 2006). Global migration governance has appeared at a specific moment in time when labour has become subject to the downgrading of standards through the loss of traditional union rights, attributed mostly to the spreading of neoliberalism (Munck 2002; Standing 2011; Schierup/Castles 2011). This trend is also reflected in the weakened position of the ILO, the central standard-setting international organisation in the realm of (migrant and non-migrant) employment and work (Standing 2008). Its historical success in promoting labour standards can partly be attributed to its tripartite structure[7], which has allowed for significant input into the standard-setting process from two non-state actors, that is employers and trade unions. However, these successes are under pressure from within and from the outside. Pressure from within regards the lack of inclusion of bodies beyond the traditional employer-employee nexus that has historically emerged from the specific experience of European labourism, which has led to the exclusion of other non-union, migrant and non-migrant labour organisations (Standing 2008). There are also new state-owned processes of deliberation (for a full list see ILO 2006), such as the above mentioned GFMD, that occur outside the UN framework and pose direct competition to standard setting organisations like the ILO. In the migration field, the main competitor is the IOM, whose mandate is not based on the UN's human rights framework. Moreover, these extra-UN processes are far less accessible to activist organisations (that is, trade unions and other labour rights organisations) and are, therefore, criticised for lacking accountability (APMM 2012). Thus,

pointing out the increasingly marginal position of standard setting institutions such as the UN and the ILO within the emerging global migration governance, critics have argued that without paying greater attention to migrant workers' rights, the benefits of the alleged 'triple win situation' are skewed in favour of employers in destination countries and the recruitment industry in origin countries (Wickramasekara 2011).

3.1 Managing poverty via remittances

In recent years, the global remittance economy has become highly significant. As demonstrated by the World Bank, flows of monetary remittances continue to increase at a considerable rate and constitute one of the most stable sources of income for families and communities (Mohapatra et al. 2013). Monetary remittances are private savings sent by migrants who live and work abroad to their homes, and are primarily used for investment in housing, education, small businesses or for repayment of debts (Faist 2008; Kunz 2011). There has been an ongoing debate since the late 1980s about what exactly the effects of remittances are on home countries, national development and the global economy. Most commentators agree that remittances have not only remained stable even in times of crisis but actually constitute a growing economy (Kunz 2011; Mohapatra et al. 2013). In 2012 alone, the estimated total global flow of remittances was reported by the World Bank to be USD 510 billion, with USD 401 billion going to developing countries. Estimates put the forecasted annual growth of remittances at 8.8% between 2013 and 2015. Never has the remittance economy been more important to those seeking to govern and manage migration for development at a global scale. It is, therefore, not surprising that a political economy of remittances has emerged (Phillips 2011; Kunz 2011) – and that with disciplining effects (Geiger/Pécoud 2013).

In light of insufficient economic and employment opportunities at home, countries of origin have used emigration as a socio-political valve and thus, one could argue, as a manner of dealing with demographic challenges as well as economic underdevelopment – and ultimately with political unrest or revolt. In the post-World War II period, the discourse of development has been the central governing discourse of international organisations vis-à-vis the Global South – so much so that, as argued by Rajagopal (2002), an international institutional grid, on the very basis of

the idea of 'development', was gradually formed for the smooth operation of the world's politico-economic system. As a result, 'development' became part of a specific exercise of power at the time of the Cold War and national security concerns (which have re-emerged in the post-Cold War era in the context of the 'War on Terror'). In other words, development became the principle machinery for expanding the bureaucratisation of the international sphere (Rajagopal 2002). As Escobar has noted, "the forms of power that have appeared act not by humanitarian concern but by the bureaucratisation of social action" (1992: 53, cited in Rajagopal 2002: 555).

Among the core issues of the UN machinery and agendas of donor agencies today is the migration-development nexus debate, which especially focuses on remittances, as evident from the flurry of reports and evaluations by international financial institutions (particularly the World Bank) and the IOM on this subject (Faist et al. 2013; Kunz 2011). Thus, debates on migration have come to be dominated by concerns for good management practices with the view to harnessing remittances for development purposes. To this end, issues for debate have revolved around lowering the costs of transactions (i.e. banking fees), teaching migrants financial literacy, and turning them into 'entrepreneurs'. In policy terms, the main reason why temporary contract migration has been championed by origin countries appears to be the finding that when migrants have to leave family members behind and do not emigrate permanently, remittances keep flowing at a constant level.

The importance given to remittances is also reflected in the fact that migrants have come to be celebrated as 'agents of development' – albeit with their agency defined in a neoliberal sense of self-help that shifts responsibility to individuals to pay for privatised services that governments do not (or no longer) provide as a public good, as critics would argue (e.g. Rankin 2001).

It is in this specific politico-economic and policy context, that migrant rights activists have politicised the global discourse on international migration and development[8]. It is through this politicisation that their resistance is played out.

4. Resisting migration management from the bottom-up

The complex dynamics and interplays of current global migration governance make attempts at resistance particularly challenging. Among these challenges is the question of towards whom the resistance should actually be directed – how can one resist a global paradigm (as per Chi's argument, 2001)? The perspective of Eni Lestari, an Indonesian migrant domestic worker in Hong Kong and chairperson of the International Migrants' Alliance (IMA), lists the developments that contributed to labour migration increasingly resembling a form of 'modern-day slavery' and can be summarised as follows: by reproducing and enforcing the current neoliberal agenda and by directly exploiting the resources of less-developed countries, the major receiving countries of migrants contribute to a climate in which migration becomes a necessity instead of a choice. When significant parts of a country's population migrate to the very countries that force them to leave their homes, they are often denied basic human and labour rights and, thus, their dignity. And even when working in countries that grant some of these rights, migrants are now increasingly expected to contribute to filling certain development gaps (providing job opportunities and education for children, e.g.) which the countries of origin and destination were responsible for creating in the first place[9].

The most obvious action of resistance might be not to migrate or send remittances at all. There are in fact 'zero remittance day' campaigns in major labour export countries like the Philippines, but these are mostly symbolic measures, as migrants cannot afford not to support their families back home, for whom remittances are a vital source of income. In both cases, the negative consequences of these actions are felt first and foremost by the migrants themselves. Most migrant organisations, therefore, resort to discursive measures on various levels and with varying goals. The 'global grassroots' IMA aims to 'expose' the neoliberal and imperialist agenda of major states, and hence the global institutions or processes they dominate, especially the GFMD. The Global Coalition on Migration (GCM) favours an 'inside-outside' strategy instead; whilst also blaming the neoliberal framework for the exploitation and abuses of labour migrants, they believe that the most effective way of resisting a dominant paradigm is by changing the agenda from within as well (Rother 2013a).

Both coalitions share several similarities: They act as global umbrella organisations or 'networks of networks', representing a membership from all major regions of the world and linking various sectors such as trade unions, faith-based organisations and 'progressive academics'[10]. The IMA takes resistance one step further, though, by also resisting being dominated by 'NGOism' (i.e. professionalisation of advocacy which might lead to activists fighting more for their job security than for their cause and thus creating high dependency on external donors) by declaring itself to be the first genuine grassroots organisation of (not for) migrants: "For a long time, others have spoken on our behalf. Now we speak for ourselves" (IMA 2008: 1). (It still accepts financial support from Western donors, though).

The resistance strategies of both networks are being carried out on two major levels: the transnational and the global. As the name implies, the transnational level reaches beyond the borders of the nation-state, but does not concern itself (exclusively) with the relations between nations (which would be the international level); the main perspective is those of non-state actors which could be transnational corporations or, as in our case, civil society actors. The global level refers to global regimes and institutions or the global public sphere (Piper/Uhlin 2004).

On the transnational level, it is comparatively easier to identify specific targets and plan concrete actions for resistance. The members of the networks resist policies of the countries of origin and destination. Their bargaining power is usually greater in the case of the former, since they usually remain citizens of, and thus voters in, their countries of origins. A pivotal case took place in the transnational political space between the Philippines and Hong Kong almost two decades before remittances gained priority on the global agenda (Rother 2009). In 1982, President Ferdinand Marcos announced a decree which would have forced all Overseas Filipino Workers (OFWs) to remit at least half of their income through Philippine financial institutions (Law 2002: 208). Workers who did not comply with the order were threatened with not getting their visas processed, which would thus prevent them from further migration after return. The decree was met with large opposition due to practical reasons, since these institutions were seen as inefficient by the migrants, and also as a matter of principle: "The bottom line was: we have already made a sacrifice by leaving our families. We did that because the government did not provide us with

decent paying jobs in the Philippines. We did our best and they want to teach us what to do with the money we earn"[11].

While the Mission contacted its networks back in the Philippines in order to gather information on the decree, the Alliance of Concerned Filipinos spearheaded a campaign in Hong Kong and called on other organisations to join them. In 1984, a loose alliance was formed between 10 domestic worker organisations. The United Filipinos against Forced Remittance (UNFARE) addressed a statement to president Marcos, claiming: "To force us to remit is a curtailment of our freedoms and an intrusion into our private affairs" (Constable 2007: 160). As a response, the order was first reduced by 50 per cent and finally lifted completely on 1 May 1985. Building on the momentum of this success, the alliance was institutionalised and renamed as United Filipinos in Hong Kong (UNIFIL-HK). It continued its campaigns after the democratic transition under the Aquino government and succeeded in having a customs tax which was imposed in 1987 revoked. Other campaigns targeted the administration in the place of destination and advocated for issues such as the right to maternity leave or resisted plans for the lowering of the minimum wage (sometimes successful, sometimes not). In 2008, UNIFIL-HK was a founding member and the driving force behind the IMA; it is telling that the global alliance was formed in Hong Kong as well.

The transnational and the global agenda are by no means strictly separated, as can be illustrated by the report of the Philippine government to the United Nations Committee on Migrant Workers. As a signatory of the International Convention on the Rights of All Migrant Workers and Members of Their Families (ICRMW), the Philippine government has to report the progress made in implementing the Convention, to the Committee. The Philippines are often praised as an origin-country model of 'best practices' in migration management by institutions such as the IOM or the US-based think tank Migration Policy Institute (MPI). But when the government officials tried to present themselves in a similar manner in the 10th reporting sessions in 2009, the Committee responded with criticism that drew heavily from a civil society shadow report written by Philippine migrant organisations which would later become influential in the creation of the GCM. The Committee also recommended that the Philippine government as State Party guarantee the broader participation of civil society NGOs.

This resistance on the national/transnational level also used 'blaming and shaming' strategies on the global level, which in turn (not unlike Keck/Sikkink's 1998 'boomerang model') also led to some specific outcomes on the national level. In a LOIPR (List of Issues Prior to Reporting) meeting organised by the Center for Migrant Advocacy (CMA), (which is a member of Migrant Forum in Asia – MFA), which in turn is a member of the GCM) and witnessed by one of the authors in Manila in December 2012, the Philippine government representatives took obvious care to include or at least hear the migrant organisations' agenda before reporting to the Committee.

On the global level, such specific successes are harder to achieve; while both networks may agree on criticising countries like the Philippines in shadow reports etc. and only vary in the degree of their respective criticisms, the 'inside-outside' and the attack-from-the-outside-approaches might be harder if not impossible to reconcile in cases like the GFMD. Here the goal of the IMA is to 'expose' the Forum as a place for the commodification of labour and as a mere front-end for imperialist and neoliberal strategies. Thus, when members and affiliates of the GCM try to work inside the GFMD in order to 'mainstream' their own progressive agenda, they are seen as supporting and legitimising, instead of resisting, the process in the eyes of the IMA.

The 'inside-outside' proponents counter these accusations by pointing out some signs of progress which they claim are at least partly the result of their approach. These become most obvious when comparing the first and the second UN-HLD in 2006 and 2013 (between which 6 GFMD meetings were held). While the issue of migrants' rights was virtually absent from the first meeting, it found its way into many speeches and papers presented at the second one. Similar observations can be made for topics such as that of a broader view of human development that reaches beyond remittances and the acknowledgement of the situation of irregular migrants.

Besides discursive measures, some more material modes of resistance might still be needed, though. On the evening before the start of the second HLD, it suddenly seemed for a while as if the participation of Civil Society in the meeting might get?? be?? drastically limited. The UN, in other words, tried to 'discipline' rights activists by means of heavy-handed control over the accreditation process. However, apparently some reconsideration took place overnight. According to GCM representatives this was partly due to a march that their parallel event, the PGA, held on the same day; thus, the

UN organisers might have decided that it would put them in a bad light if there were similar protests right outside their gathering, so they at least partially gave in and allowed some statements and active participation. This can be seen as a successful example of an inside-outside-strategy; the IMA, on the other hand opted (for the most part) to stay outside the meeting altogether and instead voiced some more fundamental resistance at their own protest activities, as summarised by the statement of Eni Lestari above.

5. Concluding remarks

The nascent global migrant rights movement is spearheaded by organisations that are located in the Global South (many of which are in Asia) or those the advocacy of which is based on the experience of migrant workers who stem from the Global South. The most common denominator of the two 'networks of networks' described and analysed in this paper in regard to their different strategies of resisting the dominant global direction that migration policy is taking is their common aim to liberate migrant workers from their role as 'agents of development', understood in the neoliberal sense of promoting self-help and individual responsibility whilst states keep on rolling back. The two networks do so by framing economic migration as 'forced' resulting in their demand to turn migration into "a choice, not a necessity" This is to be achieved on the basis of creating decent work 'here and there', i.e. better job opportunities at home and abroad. In this sense, the global migrant rights movement illustrates a form of resistance that is rooted in transformative justice as linked to institutional change.

More concretely, migrant rights activists, their organisations and networks are resisting the narrow conception of the link between migration and development that currently dominates the discourse in national and global fora by mostly focusing on financial remittances. These are private funds after all, and it is highly questionable if not immoral to suggest that a marginalised group like low-wage temporary contract or undocumented migrants should be instrumentalised to address development goals, goals which neither their countries of origin nor international development aid projects have been able to meet. Instead, activists strive to shift the focus to the more comprehensive concept of people-centred 'human develop-

ment'. Moreover, demands for an all-inclusive definition of development are understood as a global responsibility.

Part of this resistance is the politicisation of the 'management' discourse in order to counteract the latter's tendency to be couched in technical language and the clinical reduction to facts, by drawing attention to the social costs of migration and the hardships faced by the many who labour in the bottom rungs of the global productive and reproductive economy.

To achieve their goals, the two 'networks of networks' discussed in this paper employ two different tactics: while the GCM follows an 'inside-outside' approach and tries to mainstream its agenda by engaging international institutions, the IMA predominantly wants to 'expose the real agenda' of fora like the GFMD from the outside. While both networks most certainly do not cooperate or even coordinate their efforts, their modes of resistance can, to a degree, be seen as complimentary by aiming to change the policy discourse whilst also addressing the root causes of migration from a rights perspective.

The challenge of course, lies in the sheer complexity of global governance architecture: there is not one single global institution to be held responsible (on the contrary one can count up to 50 institutions involved in the field of international migration), so that their advocacy has to be directed towards numerous actors on the transnational and global level. The fragmented global governing architecture and the fact that extra-UN fora have dominated over standard setting processes have so far posed serious obstacles to the ability of migrant rights organisations to go beyond discursive strategies. If the ILO has managed to gain a position at the centre of migration governance – and its new position paper from 2013 seems to imply that it will make greater efforts in this regard – this situation could change. However, the UN HLD on migration in New York the same year has showed that the powerful receiving countries are most likely to continue resisting such a shift – several of them, including the US and the EU and its member states, emphasised their preference for the IOM to remain "the leading organisation in migration" as it predominantly serves states' interests (GFMD blog 2013).

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1 This dramatic shift started with the 1994 International Conference on Population and Development in Cairo. Chapter X of its Programme of Action outlines one of the most comprehensive texts related to migration adopted by the international com-

munity, which was undertaken primarily within a development framework. In retrospect, the 1974 and 1984 World Population Conferences had already begun addressing various aspects of migration and their relation to development. But it was at the Cairo Conference that the marrying of the migration and development nexus was thoroughly and permanently cemented. Since then, the twin issues of migration and development have become intertwined into a singular topic in almost all major international fora. The UN itself considers it as a sub-item with biennial periodicity on the agenda of the 2nd Committee of the General Assembly. This famously led to the decision in 2003 to convene the first High Level Dialogue (HLD) on International Migration and Development, which took place in 2006, and the second, in 2013.

2   We thank the anonymous reviewer(s) and the guest editors for their helpful comments and assistance, which allowed us to develop this paper. Stefan Rother would also like to thank the Freiburg Southeast Asia Area Studies Program, supported by the German Federal Ministry of Education and Research (BMBF), for helping to enable his participation in several global meetings.

3   The normative direction of governance reform has been debated in the case of various marginalised groups such as children and migrant workers (Grugel/Piper 2007), gender or equality of women (see Goetz 2009, Nussbaum 2000) and the poor more broadly (Pogge 2001).

4   There is a debate among scholars as to whether labour rights are human rights. For our purposes, it is sufficient to say that labour rights can be defined as a set of rights that humans possess by virtue of their status as workers. Moreover, in the context of global governance, ILO labour standards are regarded as a sub-set of international legal instruments. Additionally, on the activist side, global unions such as the BWI and PSI actively engage with global governance institutions.

5   In the case of states with oppressive political regimes, transnational activist scholarship has argued that it is through pressure from the 'outside in', through transnational activist networks, that states are ultimately forced to deliver on human rights (Keck/Sikkink 1998; Piper/Uhlin 2004).

6   The main rights issues for migrant rights advocates criticising this paradigm revolve around the lack of family unification, the strictly temporary character of migration (one to three years), the involvement of private, profit-oriented recruitment agencies and the employer-tied nature of work permits, all of which exposes migrants to great levels of dependency and abuse at the workplace (Piper 2010).

7   This structure refers to three parties that make up its constituency: worker organisations (trade unions), employer associations and governments.

8   In this context, the notion of 'forum shopping' has been used to describe states' choices for suitable sites to advance their interests. We would instead refer to this phenomenon as 'forum shifting' in order to reflect the perspective of political activist organisations like trade unions and migrant rights groups for whom this choice given to states means fewer opportunities for participation and less access.

9   Interview with Eni Lestari, New York, October 2013.

10 Piper is among those 'progressive academics': she is co-founder and Vice President of the Global Migration Policy Associates (GMPA), which in turn is a member of the Global Coalition of Migration.

11 Interview with Cynthia Tellez, Mission for Filipino Migrant Workers 13 March 2007.

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Abstracts

During the past decade there has been an increased level of activity surrounding the governance, at the global level, of worker migration. One of the discursive frameworks under which much migration policy is discussed is the migration-development nexus. Parallel to state-led efforts such as international commissions and fora, has been the formation of migrant rights activist networks. They have begun to voice their resistance against the dominant migration policy paradigm, which is based on very little concern for the rights of migrant workers and their families. We thus argue for a theory of resistance rooted in transformative justice that occurs in the form of institutional change pushed from below (i.e. sub-state or transnational). We then offer a critique of the 'management' discourse for having led to an instrumentalisation of the migration-development-nexus through its focus on remittances. The final section outlines and analyses the strategies of the two main activist networks in Asia. Their different tactics notwithstanding, both groups focus their resistance on the discursive level – by challenging the dominant paradigms of migration and development and by promoting more inclusive concepts of human development and migrants' rights as human rights.

Die Governance von Arbeitsmigration hat im vergangenen Jahrzehnt auch auf der globalen Ebene an Bedeutung gewonnen. In diesem Rahmen wird Migration verstärkt als ein Instrument der Entwicklungspo-

litik diskutiert. Neben neuen, von den Nationalstaaten etablierten globalen Foren und Kommissionen sind auch Netzwerke von Migrant_innenrechtsorganisationen entstanden. Diese artikulieren zunehmend ihren Widerstand gegen das dominante Paradigma in der Migrationspolitik, das den Rechten von Migrant_innen und ihren Familienangehörigen nur wenig Raum zugesteht. Wir verwenden daher in diesem Artikel einen theoretischen Ansatz, in dem Widerstand auf dem Kampf für Transformation beruht. Diese kann erreicht werden durch einen institutionellen Wandel, der von unten, etwa auf der substaatlichen oder transnationalen Ebene, eingeleitet wird. In einem zweiten Teil diskutieren wir, wie der Diskurs zu *migration management* instrumentalisiert wird, um vor allem den regelmäßigen Fluss der Rücküberweisungen (*remittances*) zu gewährleisten. Abschließend diskutieren wir die Strategien der beiden zentralen Aktivist_innennetzwerke, die sich in Asien für Migrant_innenrechte einsetzen. Auch wenn sie auf unterschiedliche Taktiken setzen, erfolgt ihr Widerstand jeweils auf der diskursiven Ebene – indem sie das dominante ‚Entwicklung durch Migration'-Paradigma hinterfragen und für umfassendere Konzepte von *human development* sowie für die Verknüpfung von Migrant_innen- und Menschenrechten kämpfen.

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